

FINAL MINUTES

JOINT MEETING of the STATE REVIEW BOARD and HISTORIC RESOURCES BOARD

September 18, 2008, 10:00 a.m.

Discovery Room in the Science Museum of Virginia at 2500 West Broad Street, Richmond, VA 23220

State Review Board Members Present

Elizabeth Moore, Chair
Lauranett Lee, Vice-Chair
James Wootton

Historic Resources Board Members Present

Patrick Butler, Chair
Helen Murphy, Vice-Chair
Brian Broadus (represented SRB as well)
Carter Hudgins (represented SRB as well)
Ora McCoy
Addison Thompson

Department of Historic Resources Staff Present

Kathleen Kilpatrick, Director
Catherine Slusser, Deputy Director
Ann Andrus
Francine Archer
Bob Carter
David Edwards
Kristen Kirchen
Julie Langan
Jean McRae

Wendy Musumeci
Mike Pulice
Sue Smead
Kelly Spradley-Kurowski
Elizabeth Tune
Randy Turner
Marc Wagner

Historic Resources Board (HRB)

Chair Butler brought the joint meeting to order shortly after 10 am and read the role of the HRB, and asked the other members to introduce themselves. Dr. Butler read the following statement, and with a motion from Ms. Murphy and a second from Ms. McCoy, the HRB approved the statement as read.

Statement as read: "On June 19, 2008 following adjournment of the joint session of the Historic Resources Board and State Review Board, and during the lunch break when no business is normally conducted, a representative of the Office of the Attorney General informally briefed the board members on two instances in which future litigation is expected. Closed meetings for confidential briefings by counsel are allowed under § 2.2-3711(A)7 of the Code of Virginia, but should have been preceded by and followed by a statement in public meeting that a closed session for that purpose was being conducted. This statement, which is to be included in the minutes of this meeting on September 18, 2008, acknowledges the procedural oversight and certifies that only the briefing by counsel, in accordance with the provisions of the Virginia Freedom of Information Act, was conducted during the aforementioned closed session."

Dr. Butler then asked for the following amendment to be made to the June 19, 2008 Board meeting minutes, and with a motion from Ms. McCoy and a second from Ms. Murphy the HRB approved the amendment. Then with a motion from Ms. Murphy and a second from Mr. Broadus the HRB accepted the June 19, 2008 Board meeting minutes as amended.

Amendment: On page 2, following the statement that the joint session adjourned, followed by a lunch break, add "During the lunch break, and in accordance with the provisions of Section 2.2-3711(A)7 of the Code of Virginia, a representative of the Office of the Attorney General informally briefed the board members on two instances in which future litigation is expected."

There was no old business. Under new business, Dr. Butler called for nominations for a new Chair and Vice-Chair. Ms. Murphy nominated Mr. Thompson, and the HRB unanimously voted for Mr. Thompson to serve as the new Chairman starting at the December 2008 Board meeting. Ms. McCoy then nominated Dr. Butler for Vice-Chair, and Ms. Murphy called for a vote. The HRB voted unanimously for Dr. Butler to serve as the Vice-Chair also starting at the December 2008 Board meeting.

State Review Board (SRB)

Dr. Moore called the SRB to order and read the role of the Board then asked the members to introduce themselves. Dr. Moore explained the purpose of the register program and the actions the Boards would take at today's meeting, then welcomed everyone in attendance. Dr. Moore called for approval of the statement as read by Dr. Butler regarding the June 2008 Board

meeting, and with a motion from Dr. Lee and a second from Mr. Wootton, the statement was approved. Then with a motion from Mr. Wootton and a second from Dr. Lee, the amendment to the June minutes was approved, and finally with a motion from Mr. Wootton and a second from Dr. Lee, the amended minutes for the June 2008 Board meeting were approved by the SRB. There was no old or new business.

Director's Report (DHR)

Director Kilpatrick addressed the Boards and provided an update on Madison Spencer, SRB Member, and new full-time staff member Pam Schenian. She read a resolution for the work and service of Dr. Daniel P. Jordan, President of the Thomas Jefferson Memorial Foundation. There was a request to check whether the word memorial is still used in the foundation title. Then with a motion from Ms. Murphy and a second from Mr. Thompson, the HRB approved the resolution, and with a motion from Mr. Wootton and a second from Dr. Lee, the SRB approved the resolution.

Director Kilpatrick updated the Boards on several joint projects with other agencies, such as Fort Monroe, Windsor Castle, Montpelier, Tusculum. She highlighted several items on the agenda then asked Dr. Slusser to provide an overview of the DHR's work plan for 2008-2009. With a motion from Dr. Hudgins and a second from Mr. Thompson, the HRB voted to support the work plan. Then with a motion from Dr. Lee and a second from Mr. Wootton, the SRB also voted to support the work plan as outlined by Dr. Slusser.

After Director Kilpatrick wrapped up her report with a thank you to the Board Members for their service, Mr. Thompson motioned the Boards vote to acknowledge the DHR staff and their efforts throughout the year. Ms. McCoy seconded, and the HRB voted unanimously. Then with a motion from Dr. Lee and second from Mr. Wootton, the SRB also voted to acknowledge the staff and their work.

The Boards considered the following Register Nominations.

Ms. Andrus presented the following nominations for the Capital Region:

1. Bear Creek Lake State Park, Cumberland County, Gold Hill Quad, #024-0034, Criteria A and C
2. Holliday Lake State Park, Appomattox County, Holliday Lake Quad, #006-0051, Criteria A and C
3. Twin Lakes State Park, Prince Edward County, Green Bay Quad, #073-0700, Criteria A and C
4. Kemper Street Industrial Hist. Dist., City of Lynchburg, Lynchburg Quad, #118-5292, Criteria A and C
5. Keysville Railroad Station, Charlotte County, Keysville Quad, #248-0001, Criteria A and C
6. Slave Trade in Richmond MPS, City of Richmond, #127-6196

Comments made

Dr. Lee explained that "Because of the federal prohibition on slavery which resulted in the 1808 African Slave Trade Act, planters in the lower South looked for a new source of labor. The interstate slave trade, of which Virginia and Richmond, figured prominently, prospered. Virginia alone supplied at least 300,000 enslaved people to the lower south between 1830 and 1860. Richmond's unique location as a central transportation hub, its importance as the state capital, and its backing and commercial enterprises, enabled the business of slavery to flourish." Dr. Lee motioned to add Criterion A, as well as Criterion Consideration F for the commemorative aspect of the area. Director Kilpatrick clarified that Criterion Consideration F would apply to the actual listings that would follow under the MPS but would not be appropriate to the MPS context. Dr. Lee amended her motion to only add Criterion A, and with a second from Mr. Wootton, the SRB voted to amend the MPS. With a motion from Dr. Hudgins and a second from Ms. Murphy, the HRB also voted to amend the MPS.

Then with a motion from Dr. Lee and a second from Mr. Wootton, the SRB voted to approved all the CRPO nominations, and with a motion from Ms. Murphy and a second from Dr. Hudgins, the HRB voted to approve all the CRPO nominations as well.

Mr. Edwards presented the following nominations for the Northern Region:

7. Arcola Slave Quarters, Loudoun County, Arcola Quad, #053-0984, Criteria A and C
8. Bear's Den Rural Hist. Dist., Clarke and Loudoun Counties, Multiple Quads, #021-5010, Criteria A and C
9. Cromwell's Run Rural Hist. Dist., Boundary Inc., Fauquier Co., Rectortown Quad, #030-5434, Criterion A
10. Rowe House, City of Fredericksburg, Fredericksburg Quad, #111-0107, Criterion C

Comments made:

Ms. Murphy introduced and welcomed the owners of the Rowe House. Dr. Lee asked about the archaeological deposits at Arcola and asked whether Criterion D should be considered. Dr. Moore explained there had not been archaeological survey work done

on the property and Mr. Edwards said they would enhance the statement for future archaeological potential within the nomination.

Dr. Butler commented on the wording of the disposition of slaves within the Arcola nomination and asked that the statement be modified to document that most slaves were sold rather than given their freedom as was implied in the text. Mr. Edwards assured Dr. Butler the nomination would be so amended, and with a motion from Dr. Lee and a second from Mr. Wootton the NRPO nominations were approved by the SRB. Then with a motion from Dr. Hudgins and a second from Ms. McCoy the NRPO nominations were approved by the HRB.

Mr. Pulice presented the following nominations for the Roanoke Region.

11. Galax Commercial H. D., Boundary Increase, City of Galax, Galax Quad, #113-5001, Criteria A and C
12. Seven Springs Farm, Pittsylvania County, Brosville Quad, #071-5255, Criterion C

The two RRPO nominations were approved by the SRB with a motion from Mr. Wootton and a second from Dr. Lee, and by the HRB with a motion from Ms. McCoy and a second Ms. Murphy.

Dr. Turner presented the following for the Tidewater Region.

13. Beaton-Powell House, Southampton County, Boykins Quad, #174-5002-0016, Criteria B and C
14. Glenview, Sussex County, Jarratt Quad, #091-0028, Criterion C
15. Old Wythe Historic District, City of Hampton, Multiple Quads, #114-5186, Criteria A and C
16. Somerton Historic District, City of Suffolk, Gates Quad, #133-5256, Criteria A and C
17. Old Thomas James Store, move information, Mathews County, #057-5027

Comments made:

Mr. Wagner recommended the Thomas James Store nomination be updated once the move happened, if the Boards approved the pre-move information. There was some discussion regarding the wings added later to the store and how the building would be moved. Mr. Wagner said the intention was to move the building intact by only folding in the roof to avoid utility lines.

Then with a motion from Dr. Lee and a second from Mr. Wootton the 4 new nominations from the TRPO were approved, and with a motion from Mr. Wootton and a second from Dr. Lee the pre-move information for the Old Thomas James Store was approved by the SRB. With a motion from Dr. Hudgins and a second from Mr. Broadus the 4 new nominations from the TRPO were approved by the HRB. Then with a motion from Mr. Thompson and a second from Ms. McCoy the pre-move was approved by the HRB.

Adjourn- Joint Board Session.

HISTORIC RESOURCES BOARD

The afternoon session opened with Dr. Slusser presenting new Public Participation Guidelines for approval by the HRB, and with a motion from Ms. Murphy and a second from Ms. McCoy, the HRB approved the guidelines as presented.

Ms. Archer presented the following Highway Markers for approval.

1. Morgan Jones Kiln
2. Peabody High School (1870-1970)
3. Orapax Indians
4. Mowhemcho - Manakin Town
5. Accomack Indians
6. Opposunoquonuske
7. Louisa County/Hanover County / Z-24
8. Franklin County/Pittsylvania County / Z-107
9. Isle of Wight/Nansemond County / Z-272
10. Colonial Church / OB-18

After a few comments on the interesting material within the marker texts, the HRB approved all markers with a motion from Dr. Hudgins and a second from Ms. Murphy.

Easement Policies and Issues

Ms. Tune, Manager of the Office of Preservation Incentives, summarized proposed changes to the existing policies for the easement program, which have been previously adopted by the Board of Historic Resources. The changes offered are the result of an intensive review of existing easement policies, revisions to governing Department of Treasury regulations, and evolving land conservation philosophy.

The proposed changes address the program's legal authority and mission, acceptance of easements, monitoring and inspections of easement properties, baseline documentation of existing conditions, review of applications for proposed work, and violations. Two new policies were presented on internal recordkeeping and standard stipulations to be included in every easement.

Ms. Tune also posed two specific questions to the Board for its consideration: 1) How DHR should approach proposed donations on property that is neither listed in the Virginia Landmarks Register, nor a Civil War Battlefield? and 2) Charging a fee to help defray the cost of developing baseline documentation.

Ms. Tune explained that due to the constraints of other easement-holding agencies, DHR has been approached in several instances to hold easements on land that is not individually listed in the Virginia Landmarks Register, within a registered historic district, or a Civil War Battlefield. While staff is sympathetic to the wishes of a land owner to protect their property from inappropriate development or changes, there may not be a historic preservation component or goal in such cases, and therefore would not normally fit into the parameters of the program.

The Board clearly stated that each easement donation must fall clearly within the mission of the program to protect historic landmarks. The Board encouraged such property owners to work with regional land conservancies to meet their needs, if their property is not consistent with DHR's program requirements.

In the discussion concerning a fee associated with development of the baseline documentation report (BDR), Ms. Tune outlined the components of such a report, the cost of materials and staff time. It is common for easement-holding organizations (especially non-profits) to charge a fee to support a legal defense fund and defray other costs associated with the administration of the easement. In some cases, the fees are based on a percentage of the easement value and can be large. DHR has always prided itself on administering the program without any charge to the property owner, however staff feels that a fee to offset "hard costs" to the agency would be appropriate. Property owners receive a copy of the BDR for their records; it includes detailed information on the conditions of the property at the time of the donation, extant conservation values, restrictions of the easement, and a comprehensive set of photographs, and is therefore a valuable resource for both DHR and the property owner. Easement staff also stated its opinion that any fee should not be prohibitive, and could be defrayed in certain cases at the discretion of the agency.

Board members supported the idea of charging a fee associated with donation of an easement, particularly when there is a tangible product such as a BDR. The Board discussed several fee structures, and agreed that any fees should be predictable and should not be an impediment to donation. The Board suggested that the fee should be based on the complexity of the property, because a property with multiple conservation values requires a more extensive report and therefore more resources.

Finally, Ms. Tune asked the Board to participate in a working session about the easement program, to discuss recent regulatory changes at the state and federal levels and how that affects DHR's program, among other things. Board members stated their willingness to come to Richmond for such a meeting, and requested that it be planned for after the November election.

Ms. Musumeci presented the following easement donations for consideration:

- 1). Buckland Hall, Buckland Mills Battlefield, Prince William County
- 2). Bristoe-Station Battlefield Heritage Park, Prince William County
- 3). Brentsville Courthouse, Prince William County
- 4). Glass Mill, Opequon Historic District, Frederick County
- 5). Edmondson Hall, Meadowview Historic District, Washington County
- 6). City of Fredericksburg 1852 Courthouse
- 7). Currier Property, Rappahannock Station Battlefield
- 8). Marmion, King George County
- 9). Stevenson-Doggett House, City of Fredericksburg
- 10). Pilgrim's Rest, Prince William County
- 11). Woodrow Wilson Manse, Woodrow Wilson Presidential Library, Augusta County

- 12). Gentry Farm, Madison County
- 13). Spring Bank, Lunenburg County
- 14). Baird Tract, Ream's Station Battlefield, Dinwiddie County
- 15). Stephens Tract, Ream's Station Battlefield, Dinwiddie County
- 16). Molina Tract, Second Deep Bottom Battlefield, Henrico County

With a motion from Dr. Hudgins and a second from Ms. McCoy, the easement donations were approved.

Finally the following Easements Recorded Since the March 2008 Meeting were presented.

1. Carlyle House, City of Alexandria
2. Windsor Castle, Isle of Wight County
3. Dunn Farm, Trevilian Station Battlefield, Louisa County

Adjourn- Historic Resources Board

STATE REVIEW BOARD

Chair Moore brought the SRB to order around 1.00 p.m. in the Study Collections Room of the Department of Historic Resources for discussion and endorsement of the Preliminary Information Applications (informal guidance session).

Board Members (b) and Staff (s) present: Laurant Lee (b), Elizabeth Moore (b), Jim Wootton (b), Ann Andrus (s), David Edwards (s), Kristin Kirchen (s), Michael Pulice (s), Kelly Spradley-Kurowski (s), Marc Wagner (s).

Guests (from sign in sheet): Ellen Brown (Liberty Hall); Sean Dougherty (Robert E. Lee High School); Rebecca Polan (GE Plant); Al Chambers, Mimi Sadler, Tom Kasper, Elaine Finbury (Village Oaks Townhomes); Monty Stokes, Peter Powell (Millbrook and Hyde Farm)

Preliminary Information Applications

All proposals were endorsed, with the following comments:

1. Liberty Hall, Bedford County, DHR File Number 009-0013

Board comments: The Board asked if any woodwork can be traced to a specific pattern book, and staff recommended that Criterion A be investigated for Medicine since Dr. Read practiced in the kitchen building.

2. Robert E. Lee High School, City of Staunton, DHR File Number 132-0037

3. General Electric Specialty Control Plant, City of Waynesboro, DHR File Number 136-5055

Board comments: At the request of the Board, the consultant representing the owners explained the context surrounding the plant.

4. Village Oaks Townhomes, City of Lynchburg, DHR File Number 118-5291

Board comments: After a discussion between staff, board, and property representatives about integrity and the potential social history of the property, the Board agreed to maintain the staff's rating, pending more information on a potential social history area of significance and information from the NPS about similar listed properties.

5. Hyde Park, Nottoway County, DHR File Number 067-0040

Board comments: Staff and board gave the owners advice on the listing process and creating an argument for significance.

6. Millbrook, Nottoway County, DHR File Number 067-0012

Board comments: Staff and board gave the owners information about PIF ratings and the process of evaluation.

7. Barnard Homeplace, Patrick County, DHR File Number 070-5058

8. Doosing-McDonald House, Roanoke County, DHR File Number 080-0009

9. Annefield, Charlotte County, DHR File Number 019-5208

Board comments: The Board asked about the reconstructed porch, and Kirchen confirmed that it was based on other J.W. Holt designs.

10. Baker-Strickler House, Louisa County, DHR File Number 054-5034

Board comments: Kirchen reported information on development of the property received since the PIF was evaluated. The Board asked what information the staff had used to determine the house a significant architectural example, and Kirchen discussed the unusual woodwork on its interior.

11. Dunbar/Fork Church School, Fluvanna County, DHR File Number 032-0290

12. McGuffey School, City of Charlottesville, DHR File Number 104-0072-0300

13. Pharsalia, Nelson County, DHR File Number 062-0428

14. South Chappell Street Car Barn, City of Petersburg, DHR File Number 123-5421

15. Tiverton, Albemarle County, 002-0187

The State Review Board adjourned.